

Remarks

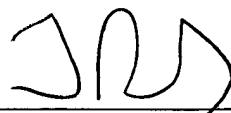
Claims 1-35 were pending in this application. The Examiner withdrew claims 12-19, 26, and 30-34 as being directed to a non-elected invention. Claims 1-11, 20-25, 27-29, and 35 were rejected by the Examiner as allegedly lacking written description, enablement, and as being anticipated and/or obvious in view of the prior art.

In response, Applicants have amended the claims as noted in the above LISTING OF THE CLAIMS. The amended claims are directed to embodiments that are fully described and enabled by the present application. For example, the gai sequence now recites the Arabidopsis gai gene; the promoter is anther-specific; and the cytokinin used to restore fertility is kinetin. Accordingly, Applicants respectfully request that the written description and enablement rejections be withdrawn.

With respect to the anticipation and prior art rejections, the presently amended claims are not taught or suggested by the cited prior art. WO97/29123 ("123") and Peng describe the constitutive expression of the gai gene in certain plants. As noted in the present specification, such constitutive expression results in undesirable mutant plants with multiple unwanted side-effects. In contrast, the present invention is directed to expression of the gai gene in certain tissues (anthers) of the plant, which give rise to otherwise normal plants that are reversibly male-sterile. Nothing in '123 or Peng teach or suggest such methods or plants. And the secondary references do not overcome this deficiency in '123 or Peng to derive the presently claimed invention. Accordingly, Applicants respectfully request that the anticipation and obviousness rejections be withdrawn.

Applicants believe the present application is in condition for allowance and respectfully request reconsideration by the Examiner. The Examiner is encouraged to call the undersigned representative in the event that further information may result in allowance of the claims.

Respectfully submitted,



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